

REMARKS

The claims are 4 and 8-21, which stand rejected, under 35 U.S.C. §102(e), as being anticipated by Pedrizetti, et. al., U.S. Patent No. 6,151,708 ("Pedrizetti.")

Applicant respectfully traverses the rejection.

Applicant gratefully acknowledges the Examiner's availability for Interview on May 25, 2005. In that telephonic interview, Examiner Yigdall and the undersigned, Applicant's attorney, discussed the applicability of the Pedrizetti reference to claims 4 and 8-21. Specifically, the nature of the information transmitted in Pedrizetti was discussed.

It was proposed that a patentable distinction between Pedrizetti and claims 4, 8-21 exists in the nature of the "hash number" in Pedrizetti, described as a "non-unique identifier." (See, e.g., Col. 5, line 11.) In contrast to the non unique identifier in Pedrizetti, a unique identifier is transmitted according to the amended claims.

The Examiner agreed to review any claims submitted.

The amended claims herein define a "cryptographic hash" which is comprised of a "unique data identifier." Support for the amendment is provided at page 6 (bottom) to page 7 (top) and no new matter is added by way of amendment.

Thus the present claims specifically teach away from Pedrizetti's non unique identifier.

It is respectfully requested that the Examiner's rejection be withdrawn and the claim proceed to issue.

Applicant further traverses the Examiner's rejections to claims 16 and 17 under 35 U.S.C. §102(b) as being anticipated by Aviani, U.S. Patent No. 5,950,205. Applicant

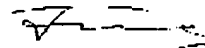
notes that Aviani nowhere teaches, suggests nor discloses the limitations of independent claim 8 and therefore cannot, it is submitted serve as an anticipatory reference for dependant claims 16 and 17.

Aviani discloses a cache file system. Disk drives within the system may store either meta data or hashes. But there is no teaching, suggestion nor disclosure of transmitting any hashes or data information, as in claim 8. Thus, it is submitted, Aviani cannot serve as anticipatory reference to claims 16 and 17, and it is respectfully requested that the Examiner's rejection be withdrawn and the claim proceed to issue.

Conclusion

Claims 4 and 8-21 define patentable subject matter over the art of record and are not anticipated by nor obvious in view of the references of record. A Notice of Allowance is respectfully solicited.

Respectfully Submitted,



Dated: June 6, 2005

Joseph E. Chovanes, Esq.  
Registration No. 33,481  
Attorney for Applicant  
Tel.: 610-648-3994  
Fax: 610-648-3997